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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional): 401-13U1

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Application Number	Filed
09/923,923	August 7, 2001

First Named Inventor: Richard D. Martin

Art Unit	Examiner
2154	Mohammad Siddiqi

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒ attorney or agent of record. Registration number 35,039

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Clark Jablon
Signature

Clark A. Jablon
Typed or printed name

215-965-1293
Telephone number

February 16, 2006
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

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There is a clear error in the Examiner's Final Rejection of claims 1, 13, 17 and 21 because Call does not disclose or suggest step (b) of these claims, and step (a) of claim 1

The reasons for this clear error are given in Applicants' Response filed June 30, 2005 (mailroom date is July 5, 2005), hereafter, referred to as "the 7/5/05 Response."[1] See the arguments on pages 3-6 of the 7/5/05 Response. To summarize, the key arguments are as follows:

i. The web page in Call merely includes a hypertext link associated with selected content. A "link" is not "script." A "link" is merely a software pointer on a web page that you click on to navigate to another location. All of the claims require a web page to include script associated with selected content (claims 1 and 13) or script associated with at least one digital asset (claims 17 and 21). In the computer science/software field, "script" is a kind of program that consists of a set of instructions (list of commands) that is executed by another program.

ii. The web browser in Call does not interpret script and format a request to obtain selected content from a remote site. Claim 1 explicitly requires these functions to occur. Claims 13, 17 and 21 implicitly require these functions to occur when the script is executed by the claimed browser.

In section 2 on pages 3-4 of the 7/5/05 Response, Applicants underlined selected claim limitations that are not disclosed or suggested by Call. This portion of the Response is repeated below for convenience:

> 1. A method of obtaining selected content for a web page, wherein the selected content itself is not initially part of the web page, the web page including script associated with the selected content, the method comprising:
> (a) a web browser requesting a web page that includes script associated with the selected content; and
> (b) the web browser interpreting the script and formatting a request for obtaining the selected content from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

[1] The Pre-Appeal guidelines request that prior submissions be referred to by paper number. However, no paper numbers are available to Applicants, nor does any other paper numbering scheme appear on the USPTO's PAIR web site.

13. A method of syndicating digital assets comprising:
(a) constructing a web page; and
(b) inserting into the web page script associated with at least one digital asset that is desired to be part of a fully rendered web page, wherein the script, when executed by a browser, requests the content of the digital asset from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

17. An article of manufacture for syndicating digital assets, the article of manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:
(a) constructing a web page; and
(b) inserting into the web page script associated with at least one digital asset that is desired to be part of a fully rendered web page, wherein the script, when executed by a browser, requests the content of the digital asset from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

21. An apparatus for syndicating digital assets comprising:
(a) means for constructing a web page; and
(b) means for inserting into the web page script associated with at least one digital asset that is desired to be part of a fully rendered web page, wherein the script, when executed by a browser, requests the content of the digital asset from a remote site, the request including a uniform resource identifier (URI) of the web page and a unique identifier of the selected content.

In the Final Rejection, the Examiner repeats verbatim the improper grounds of rejection given in the non-final rejection. On pages 8-9 (section 25) of the Final Rejection, the Examiner responds to Applicants' arguments.

First, the Examiner now asserts that the disclosure in Call of XSL teaches the claimed script limitation. This is clearly erroneous. The web page in Call does not include XSL, whereas the claims explicitly require that the web page itself include the script.

XSL is a style sheet language used for translating XML documents. XSL is a specification. See the attached Appendix which lists multiple definitions of "XSL" from a Google definitions compilation. These definitions match exactly what is described in the portions of column 23 of Call highlighted by the Examiner. Nowhere does Call disclose or suggest that the web page in Call actually includes any XSL instructions or commands. In fact,

Fig. 6 of Call shows that the XSL is not included in the web page, and thus Call teaches away from the present invention. See, block 438 which represents the web page and the separate block 440 which represents the XSL. Browser 410 receives the web page from block 438 and the XSL from block 440, and interprets the web page using the XSL, as is well-known in the prior art. Applicants' invention could also potentially use XSL in this manner for interpreting XML data in a web page, if desired.

Accordingly, even if it could be argued that XSL is script, the conventional use of XSL for translating XML documents as described in Call is not Applicants' claimed invention.

Second, the Examiner asserts that the browser 410 interprets script to format web documents and recreate them on a screen. However, this function is nothing more than the conventional use of XSL as described above. Since there is no disclosure or suggestion that there is any script in Call's web pages, the web browser 410 in Call inherently does not interpret script in a web page. To repeat, the web browser 410 only interprets XML which is not script.

2. There is a clear error in the Examiner's Final Rejection of the dependent claims.

The rejected dependent claims are believed to be allowable because they depend upon respective allowable independent claims, and because they recite additional patentable steps.

3. None of the arguments above depend upon interpretations of prior art teachings or claim scope issues. For at least the reasons set forth above, all of the outstanding rejections should be withdrawn.

Enclosure: Appendix (3 pages)

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Google Web Imag define: XSL more » earch

APPENDIX
(attachment to Pre-Appeal Brief for U.S. Application No. 09/923,923)

Web

Definitions of **XSL** on the Web:

- Extensible Stylesheet Language (XSL) - defines the presentation of an XML document and used to translate XML documents into other formats (like XHTML).
  www.orafaq.com/glossary/faqglosx.htm

- A language for specifying style sheets for XML documents. XSL Transformation (XSLT) is used with XSL to describe how an XML document is transformed into another document.
  publib.boulder.ibm.com/infocenter/adiehelp/topic/com.ibm.wsinted.glossary.doc/topics/glossary.html

- Extensible Stylesheet Language
  www.cordis.lu/ist/ka1/administrations/publications/glossary.htm

- XSL (Extensible Style Language) is a style sheet language aimed at activities such as rearranging the document that are not supported by CSS, though XSL and CSS share the same underlying concepts. XSL can be used to style XML documents u sing sets of rules and definitions of actions to be applied. XSL is a specification from the W3C.
  www.acad.bg/beginner/gnrt/appendix/glossary.html

- Acronym for eXtensible Style Language, a specification for separating style from content when creating HTML or XML pages. The specifications work much like templates, allowing designers to apply single style documents to multiple pages. XSL is the second style specification to be offered by the World Wide Web Consortium (W3C)(www.w3c.org). XSL allows developers to dictate the way Web pages are printed, and specifications permitting the transfer of XML documents across different applications.
  www.dlese.org/documents/glossary.html

- Extensible Stylesheet Language. A language for creating a style sheet that describes how data sent over the Web using XML is presented in a browser. XSL provides a programmer with the tools to describe exactly which data fields in a XML document are displayed and how they are displayed. XSLT is part of XSL. XSL is also used for XML to XML translation.
  www.datadirect.com/developer/xquery/references/definitions/index.ssp

- Similar to CSS, it defines the specification for an XML document's presentation and appearance. Both CSS and XSL provide a platform-independent method for specifying the document's presentation style.
  www.lanw.com/books/xmlfdum2/extras/glossary/s-z.htm

- A language for expressing stylesheets which may be used to transform XML documents into other formats or to display XML documents in XML-capable browsers. See also Stylesheet.
  www.loc.gov/ead/ag/agappf.html

- The style standard for XML. Like CSS, it specifies the presentation and appearance of an XML document.
  www.research-hosting.co.uk/data/hosting-terms/web-hosting-terms-x.asp

- Extensible Stylesheet Language, or XSL, is a language that describes how XML content is to be formatted.
  www.simply.com.au/text/glossary.php

- eXtensible Stylesheet Language. A W3C recommendation. This standard includes methods for adapting or changing information structures (transformation). Using XSL, it is possible to realise automatic transformation from XML to eg HTML or XSL-FO. XSL-FO (formatting objects) is a page description language that is used to generate printed formats with an XML notation.
  www.factory3x5.com/more_info/glossary.xml

- Extensible Stylesheet Language is a stylesheet language that gives us the ability to specify how data coded with XML will format on screen. This language was developed based on the ISO companion standard for SGML known as DSSSL (Document Style Semantics and Specification Language.)
  www.dclab.com/DCLTP.ASP

- Extensible style Language.
  www.lanyon.com/support/Glossary/Glossaryq-z.htm

- XSL is a language for expressing stylesheets. It consists of two parts:
  www.soaprpc.com/glossary.html

- The Extensible Stylesheet Language is like CSS for XML . It provides a means of describing how an XML resource should be displayed.
  www.saugus.net/Computer/Terms/Letter/X/

- Extensible Stylesheet Language (XSL) is the language for defining how a browser will display XML content to the user.
  www.agimo.gov.au/publications/2005/04/agtifv2/glossary

- A language used to transform XML-based data into HTML or other presentation formats (Team1 and Team2), for display in a Web browser (Team1 and Team2). Differs from cascading style sheets in that it can present information in an order different from that in which it was received - it can transform data. XSL will also be able to generate the effect, on XML data's, of a CSS on HTML. XSL consists of two parts, a vocabulary for transformation and the XSL Formatting Objects.
  www.dorsai.org/~walts/xglossary.html

- (Extensible Stylesheet Language) XSL was the original proposal to allow formatting of XML files for display. It has since diverged into XSL FO and XSLT. They each derrive from XSL, but use different parser programs and acheive slightly different goals. XSL FO, which stands for XSL formatting objects, is most often used for outputting PDF files with extreme formatting and pagination control. ...
  www.d3magazine.com/glossary

- stands for extensible style sheet language. XSL is the formatting property for XML, as cascading style sheets (CSS) is the formatting property for HTML. A CSS can be used with XML files, but XSL is much more powerful. XSL is mainly used to transform the XML document to a format that can be displayed, such as HTML. Basically, what XSL does is to allow you to create templates that specify the presentation of the XML document. Compared to CSS, XSL has the ability to
  support.sas.com/rnd/base/topics/templateFAQ/Template_xml.html

- eXtensible Style Language, Used to create presentation layouts for XML documents. XSL exceeds the pure layout definition by providing means to transform, hide and change the sequence elements in the display.
  krypton.mnsu.edu/~spiral/eta/glossary/indxGlossOOxml.html

- Extensible Scripting Language - an XML style sheet language supported by the newer web browsers Internet Explorer 5 and Netscape 5.
  www.mbgj.org/glossary_se_terms.htm

- XML stylesheet for formatting XML documents.
  www.zygo.net/glossary.php

- XSL has more than one meaning: * In computing the eXtensible Stylesheet Language is a set of language technologies for defining XML document transformation and presentation* The XSL attack, a method for breaking ciphers
  en.wikipedia.org/wiki/XSL

Related phrases: xsl-fo xsl stylesheet xsl-t xsl transformation xsl formatting objects xsl translation xsl trace editor xsl/xslt

Find definitions of **XSL** in: Chinese (Simplified) Chinese (Traditional) Dutch **English** French German Italian Portuguese Spanish all languages

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